

**DHS/ALL 001**

**System name:**

Department of Homeland Security (DHS) Freedom of Information Act (FOIA) and Privacy Act (PA) Record System.

**Security classification:**

Classified, sensitive.

**System location:**

This system of records is located in the DHS Privacy Office, Washington, DC 20528, as well as in the component FOIA/PA offices listed in "System Managers," below.

**Categories of individuals covered by the system:**

Individuals who submit FOIA and/or PA requests to DHS; individuals who appeal DHS denial of their FOIA/PA requests; individuals whose requests, appeals, and/or records have been referred to DHS by other agencies; and, in some instances, attorneys or other persons representing individuals submitting such requests and appeals, individuals who are the subjects of such requests, and/or DHS personnel assigned to handle such requests or appeals.

**Categories of records in the system:**

Records received, created, or compiled in response to FOIA/PA requests or appeals, including: the original requests and administrative appeals; intra- or inter-agency memoranda, correspondence, notes and other documentation related to the processing of the FOIA/PA request; correspondence with the individuals or entities that submitted the requested records and copies of the requested records, including when those records might contain confidential business information or personal information. Types of information in the records may include: Requesters' and their attorneys' or representatives' names, addresses, telephone numbers, and FOIA case numbers; names, office telephone numbers, and office routing symbols of DHS employees; and names, telephone numbers, and addresses of the submitter of the information requested. The system also contains copies of all documents relevant to appeals and lawsuits under FOIA and the PA.

**Authority for maintenance of the system:**

5 U.S.C. 301, 552, 552a; 44 U.S.C. 3101; E.O. 12958, as amended.

**Purpose(s):**

The system is maintained for the purpose of processing records requests and administrative appeals under the FOIA as well as access and amendment requests and appeals under the PA; for the purpose of participating in litigation arising from such requests and appeals; and for the purpose of assisting DHS in carrying out any other responsibilities under the FOIA or the PA.

**Routine uses of these records maintained in the system, including categories of users and the purposes of such uses:**

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed outside DHS as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

- (1) Where a record, either on its face or in conjunction with other information, indicates a violation or potential violation of law (i.e., criminal, civil or regulatory), the relevant records may be referred to an appropriate Federal, state, territorial, tribal, local, international, or foreign law enforcement agency or other



appropriate authority charged with investigating or prosecuting such a violation or enforcing or implementing such law.

- (2) To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal government, when necessary to accomplish an agency function related to this system of records.
- (3) To a Federal, state, territorial, tribal, local, international, or foreign agency or entity for the purpose of consulting with that agency or entity (a) to assist in making a determination regarding access to or amendment of information, or (b) for the purpose of verifying the identity of an individual or the accuracy of information submitted by an individual who has requested access to or amendment of information.
- (4) To a federal agency or entity that furnished the record or information for the purpose of permitting that agency or entity to make a decision regarding access to or correction of the record or information, or to a federal agency or entity for purposes of providing guidance or advice regarding the handling of particular requests.
- (5) To the Department of Justice or other federal agency conducting litigation or in proceedings before any court, adjudicative or administrative body, when: (a) DHS, or (b) any employee of DHS in his/her official capacity, or (c) any employee of DHS in his/her individual capacity where DOJ or DHS has agreed to represent the employee, or (d) the United States or any agency thereof, is a party to the litigation or has an interest in such litigation.
- (6) To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of the individual to whom the record pertains.
- (7) To the National Archives and Records Administration or other Federal government agencies pursuant to records management inspections being conducted under the authority of 44 U.S.C. 2904 and 2906.
- (8) To the Department of Justice, including the United States Attorney's Offices, or a consumer reporting agency for further collection action on any delinquent debt when circumstances warrant.
- (9) To the Office of Management and Budget or the Department of Justice to obtain advice regarding statutory and other requirements under the Freedom of Information Act or the Privacy Act of 1974.

**Disclosure to consumer reporting agencies:**

Privacy Act information may be reported to consumer reporting agencies pursuant to 5 U.S.C. 552a(b)(12).



**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Records in this system are stored on paper and/or in digital or other electronic form. Digital and other electronic images are stored on a storage area network in a secured environment.

**Retrievability:**

Records are retrieved by the name, unique case identifier, social security number, or alien identification number of the requester/appellant or the attorney or other individual representing the requester, or other identifier assigned to the request or appeal.

**Safeguards:**

Information in this system is safeguarded in accordance with applicable laws, rules and policies, including the DHS Information Technology Security Program Handbook. All records are protected from unauthorized access through appropriate administrative, physical, and technical safeguards. These safeguards include restricting access to authorized personnel who have a need-to-know, using locks, and password protection identification features. Classified information is appropriately stored in accordance with applicable requirements. DHS file areas are locked after normal duty hours and the facilities are protected from the outside by security personnel.

**Retention and disposal:**

Records are retained and disposed of in accordance with the National Archives and Records Administration's General Records Schedule 14. Files may be retained for up to six years. For requests that result in litigation, the files related to that litigation will be retained for three years after final court adjudication.

System manager(s) and addresses:

I. For Headquarters components of the Department of Homeland Security, the System Manager is the Director of Departmental Disclosure, U.S. Department of Homeland Security, Washington, DC 20528.

II. For operational components that comprise the U.S. Department of Homeland Security, the System Managers are as follows:

United States Coast Guard, FOIA Officer/PA System Manager, Commandant, CG-611, U.S. Coast Guard, 2100 2nd Street, SW., Washington, DC 20593-0001

United States Secret Service, FOIA Officer/PA System Manager Suite 3000, 950 H Street, NW., Washington, DC 20223

United States Citizenship and Immigration Services, ATTN: Records Services Branch (FOIA/PA), 111 Massachusetts Avenue, NW., 2nd Floor, Washington, DC 20529

Under Secretary for Emergency Preparedness and Response (includes Federal Emergency Management Agency), FOIA Officer/PA System Manager, 500 C Street, SW., Room 840, Washington, DC 20472

Under Secretary for Border and Transportation Security, Department of Homeland Security, C/o Departmental Disclosure Officer, Privacy Office, Washington, DC 20528



United States Customs and Border Protection, FOIA Officer/PA System Manager, Disclosure Law Branch, Office of Regulations & Rulings, Ronald Reagan Building, 1300 Pennsylvania Avenue, NW (Mint Annex)., Washington, DC 20229

United States Immigration and Customs Enforcement, FOIA Officer/PA System Manager, Office of Investigation, Chester Arthur Building (CAB), 425 I Street, NW., Room 4038, Washington, DC 20538

Transportation Security Administration, FOIA Officer/PA System Manager, Office of Security, West Building, 4th Floor, Room 432-N, TSA-20, 601 South 12th Street, Arlington, VA 22202-4220

Federal Protective Service, FOIA Officer/PA System Manager, 1800 F Street, NW., Suite 2341, Washington, DC 20405

Federal Law Enforcement Training Center, Disclosure Officer, 1131 Chapel Crossing Road, Building 94, Glynco, GA 31524

Under Secretary for Science & Technology, FOIA Officer/PA System Manager, Washington, DC 20528

Under Secretary for Information Analysis and Infrastructure Protection, FOIA Officer/PA System Manager, Washington, DC 20528

Under Secretary for Management, FOIA Officer/PA System Manager, 7th and D Streets, SW., Room 4082, Washington, DC 20472

Office of Inspector General, Records Management Officer, Washington, DC 20528

**Notification procedure:**

To determine whether this system contains records relating to you, write to the appropriate System Manager(s) identified above.

**Record access procedures:**

A request for access to records in this system may be made by writing to the System Manager, identified above, in conformance with 6 CFR Part 5, Subpart B, which provides the rules for requesting access to Privacy Act records maintained by DHS.

**Contesting record procedures:**

Same as "Record Access Procedures," above.

**Record source categories:**

Information contained in this system is obtained from those individuals who submit requests and administrative appeals pursuant to the FOIA and the PA; the agency records searched and identified as responsive in the process of responding to such requests and appeals; Departmental personnel assigned to handle such requests and appeals; other agencies or entities that have referred to DHS requests concerning DHS records, or that have consulted with DHS regarding handling of particular requests; and submitters or subjects of records or information that have provided assistance to DHS in making access or amendment determinations.



**Exemptions claimed for the system:**

Portions of this system are exempt under 5 U.S.C. 552a(j)(2), (k)(1), (k)(2) and (k)(5). When DHS is processing Privacy Act and/or FOIA requests, responding to appeals, or participating in FOIA or Privacy Act litigation, exempt materials from other systems of records may become part of the records in this system. To the extent that copies of exempt records from other systems of records are entered into this system, DHS hereby claims the same exemptions for those records that are claimed for the original primary systems of records from which they originated.